



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

October 18, 2002

Michael H. Davis
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

Re: Accessory Sales by Cromwell Valley Automotive
1101 Cromwell Valley Bridge Road
District 9th Councilmanic 6th – Zoning ML-IM
Zoning Case 96-281-X

Dear Mr. Davis:

Reference is made to your letter and attachments sent to Arnold Jablon, Director of Permits Development Management on 10/14/02 which as been referred to me for reply. You have requested, on behalf of your client Cromwell Valley Automotive, approval for a limited number of accessory used auto sales at the above location. The above location is zoned to permit a service garage (minor repairs and detailing) via a Special Exception granted 3/18/96, zoning case # 96-281-X.

I have discussed this request with the Director and based on the information that you have provided this office will approve a Use Permit for Limited Sales (20 per year) provided that the following conditions are complied with:

1. You client is restricted to offering for sale a maximum of 6 vehicles at any one time.
2. Your client is restricted to selling no more than 20 vehicles per year.
3. The revised plan must comply with Section 255.1 (238.4) 10 foot street setback for display, and the required parking must be provided in addition to the display spaces.
4. At the request of Code Enforcement, your client will be required to produce all records necessary to prove compliance with the restricted number of vehicles permitted to be sold in a year.

Come visit the County's Website at www.co.ba.md.us



Arnold Jablon, Director
October 14, 2002
Page 2

change to Cromwell Valley's operations is within the spirit and intent of the Deputy Zoning Commissioner's Order in Case No. 96-281-X, dated March 18, 1996.

By way of brief history, the property owner received approval of its site plan, entitled "PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION," and Petition for Special Exception to permit a service garage in a ML-IM for, in part, the minor servicing and repair of vehicles in the 1996 case. The Deputy Zoning Commissioner indicated on page 2 of the Order that no protestants were present at the public hearing. In Case No. 98-331-SPH, the Property owner filed a Petition for Special Hearing to approve an extension of the time period to utilize the special exception granted in Case No. 96-281-X. The Zoning Commissioner granted the extension and, again, noted that no protestants or other interested persons were present. In the 1998 case, the Zoning Commissioner determined that "it is obvious that the proposed use of the subject site is appropriate and will not be detrimental to the health, safety or general welfare of the locale."

A service garage is defined as "[a] garage, other than a residential garage, where motor driven vehicles are stored, equipped for operation, repaired or *kept for remuneration, hire or sale.*" Section 101 of the Baltimore County Zoning Regulations ("BCZR"). BCZR Section 253.2.B.3 permits service garages by special exception in the ML-IM zone, without limiting the permitted service garage activities listed in the service garage definition. A reading of the definition makes clear that, provided a vehicle is repaired or serviced on the property, it may also be "kept" there for sale. No additional approvals are required under the definition or by way of the ML-IM zoning regulations. Cromwell Valley's proposed change to the site plan approved in the 1996 is, therefore, consistent with the definition and the permitted operation of a service garage in the ML-IM zone.

In addition to meeting the definition of "service garage," the proposed change will result in only a minor adjustment to the site plan approved in Case No. 96-281-X. No increase in the special exception area will be required, and there is excess parking on the site to accommodate the sale of a small number of vehicles. With regard to advertising, Cromwell Valley proposes no additional signage on the property or off-site advertising of any kind devoted to the sale of automobiles. As discussed above and designated on the

Arnold Jablon, Director
October 14, 2002
Page 3

enclosed site plan, only six (6) parking spaces would be devoted to the keeping of vehicles for sale. Three (3) of those spaces are proposed along Cromwell Bridge Road and another three (3) along the rear of the parking lot. This change will not result in an increase in the number of vehicles repaired and/or serviced on the property.

At this time, I would appreciate your confirming by countersignature below that, because the sale of a limited number vehicles on the property, as discussed above, is permitted under the definition of service garage and within the spirit and intent of the Deputy Zoning Commissioner's Order, dated March 18, 1996, no additional zoning relief is required. If you need any further information in order to complete your review, please feel free to give me a call. Thank you for your assistance with this matter.

With this letter, I have enclosed a check in the amount of \$40.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you need any further information in order to complete your review, please feel free to give me a call.

Very truly yours,



Michael H. Davis

MHD/dhk
Enclosure

Arnold Jablon, Director
Department of Permits &
Development Management

Date

Michael H. Davis
October 18, 2002
Page 2

5. Compliance with original restriction #4 in zoning case # 96-281-X including this approval

After approval the revised plan will be included in the zoning case file and I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Carl Richards, Jr.", with a stylized, flowing script.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/rjc
enc.
file

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Michael H. Davis
(410) 494-6284

mhdavis@venable.com

*re: 10/14/02
will sell the
more than 70
cars per year*

October 14, 2002

HAND-DELIVERED

Arnold Jablon, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Cromwell Valley Automotive
1101 Cromwell Valley Bridge Road
9th Election District, 6th Councilmanic District

Dear Mr. Jablon:

This firm represents Ricky A. McCain, the lessee of the above-referenced property containing approximately 0.788 acres of land (the "Property"). According to the Baltimore County 200' Scale Comprehensive Zoning Maps (Map No. NE-10C), the Property is zoned ML-IM. On the Property, Mr. McCain operates Cromwell Valley Automotive, Inc. ("Cromwell Valley"), a service garage. Cromwell Valley's primary business is the minor servicing and repair of automobiles.

In addition to its current operations, Cromwell Valley proposes to keep for sale a limited number of automobiles. Only those vehicles repaired or serviced on the property would be offered for sale, and the number of vehicles sold would be limited to twenty (20) per year. Additionally, no more than six (6) vehicles would be kept for sale on the property at any one time. For your convenience, I have attached a copy of the Order and site plan filed in Case No. 96-281-X, prepared by Spellman, Larson & Associates, Inc., that indicates the portion of the parking area to be devoted to the display of automobiles (that Cromwell Valley has repaired or serviced) for sale. I am writing to confirm that this

Arnold Jablon, Director

October 14, 2002

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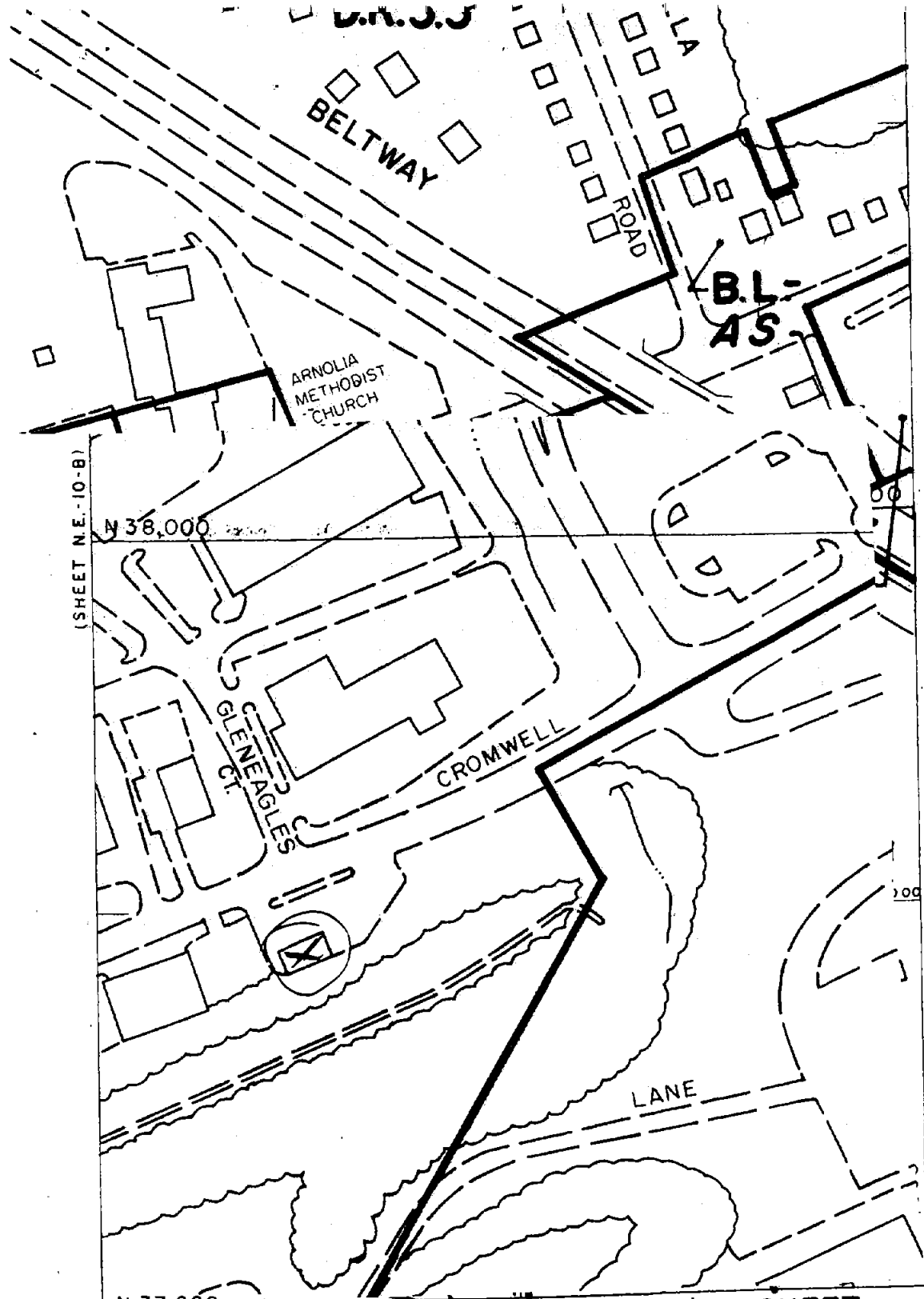


Michael H. Davis

MHD/dhk
Enclosure

Arnold Jablon, Director
Department of Permits &
Development Management

Date



SCALE	LOCATION	SHEET
1" = 200' ±	OAKLEIGH BAYNESVILLE	N.E. 10-C

NE 10 C



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Development Management

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Michael H. Davis
October 18, 2002
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W. Carl Richards, Jr.
Zoning Supervisor

WCR/rjc
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file

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Michael H. Davis
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mhdavis@venable.com

*re: 10/14/02
will sell the
more than 70
cars signed*

October 14, 2002

HAND-DELIVERED

Arnold Jablon, Director
Department of Permits and
Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Cromwell Valley Automotive
1101 Cromwell Valley Bridge Road
9th Election District, 6th Councilmanic District

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In addition to its current operations, Cromwell Valley proposes to keep for sale a limited number of automobiles. Only those vehicles repaired or serviced on the property would be offered for sale, and the number of vehicles sold would be limited to twenty (20) per year. Additionally, no more than six (6) vehicles would be kept for sale on the property at any one time. For your convenience, I have attached a copy of the Order and site plan filed in Case No. 96-281-X, prepared by Spellman, Larson & Associates, Inc., that indicates the portion of the parking area to be devoted to the display of automobiles (that Cromwell Valley has repaired or serviced) for sale. I am writing to confirm that this

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
 SE/S Cromwell Bridge Road, * DEPUTY ZONING COMMISSIONER
 opposite Glen Eagles Court * OF BALTIMORE COUNTY
 (1101 Cromwell Bridge Road) * Case No. 96-281-X
 9th Election District *
 6th Councilmanic District *
 W. Worth McKeithan, et ux
 Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 1101 Cromwell Bridge Road, located in the vicinity of Loch Raven Boulevard in Towson. The Petition was filed by the owners of the property, W. Worth and Evelyn B. McKeithan, through their attorney, Anthony J. DiPaula, Esquire. The Petitioners seek a special exception for an automotive detailing shop (service garage) as an auxiliary service use in an I.M. District, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William S. Fitzell, the Petitioners' son-in-law, Joseph Larson with Spellman, Larson & Associates, Inc., who prepared the site plan for this project, and Anthony J. DiPaula, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.788 acres, more or less, zoned M.L.-I.M., and is improved with a one-story metal building, which has been abandoned for some time. The Petitioners are desirous of renovating the property and to relocate

ORDER RECEIVED FOR FILING
 Date 3/15/96
 By [Signature]

MICROFILMED

Roscoe's Auto Detailing business from its present location on Joppa Road to the subject site. Testimony revealed that the Petitioners presently operate McKeithan's Auto Sales on Joppa Road and that they utilize Roscoe's to clean and detail the automobiles they sell. Further testimony revealed that Roscoe's also cleans and details the automobiles sold by Bob Davidson Ford. Both of these dealerships are located in close proximity to the subject site. Testimony indicated that Roscoe's current operation on Joppa Road has caused some traffic congestion when vehicles are being taken to and from the site. Thus, the Petitioners believe the proposed relocation will not only be of benefit to Roscoe's Automobile Detailing business, but will also bring a viable tenant to the subject site.

On behalf of the Petitioners, Mr. DiPaula testified that he approached the Cromwell Valley Community Association regarding his clients' intended use of the property. He testified that the Community Association was very happy to hear that a tenant intended to locate to the subject site and that the Association had realized that the abandoned gasoline service station had become an eyesore. The Association supports the proposed automotive detailing shop provided there is compliance with certain conditions as contained in a letter offered into evidence by Mr. DiPaula and marked as Petitioner's Exhibit 2. Therefore, approval of the relief granted shall be conditioned upon the Petitioners' compliance with the terms and conditions set forth therein.

It is clear that the B.C.Z.R. permits the use proposed in a M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of March, 1996 that the Petition for Special Exception seeking approval of an automotive detailing shop (service garage) as an auxiliary service use in an I.M. District, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.),


ORDER RECEIVED FOR FILING

Date

By

and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED,
subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow any body and fender work, or painting to take place on the subject site. Any minor mechanical repairs beyond detailing, cleaning and waxing, must be performed within the service bays of the subject building.
- 3) No damaged or disabled, or partially or fully dismantled vehicles, or parts, shall be stored on the subject site.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 3/15/96
By [Signature]

#203



Petition for Special Exception

96-281-X

to the Zoning Commissioner of Baltimore County

for the property located at 1101 Cromwell Bridge Road

which is presently zoned M.L.-IM

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for **an automotive detailing shop (service garage) as an auxiliary service use in an I.M. district, pursuant to BCZR Section 253.2.B.3.**

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

Anthony J. DiPaula
(Type or Print Name) **Covahey & Boozer, P.A.**

Signature

614 Bosley Avenue 828-9441
Address Phone No.

Towson, MD 21204
City State Zipcode

Legal Owner(s):

W. Worth McKeithan

(Type or Print Name)

Signature

Evelyn B. McKeithan

(Type or Print Name)

Signature

4111 Halifax Court

Address Phone No

Glen Arm, MD 21057

City State Zipcode
Name, Address and phone number of representative to be contacted

Anthony J. DiPaula

Name

614 Bosley Avenue 828-9441
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: DATE 1/25/96

ORDER RECEIVED FOR FILING

Date

Revised 9/5/95

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

March 18, 1996

Anthony J. DiPaula, Esquire
Covahey & Boozer
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SE/S Cromwell Bridge Road, opposite Glen Eagles Court
(1101 Cromwell Bridge Road)
9th Election District - 6th Councilmanic District
W. Worth McKeithan, et ux - Petitioners
Case No. 96-281-X

Dear Mr. DiPaula:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

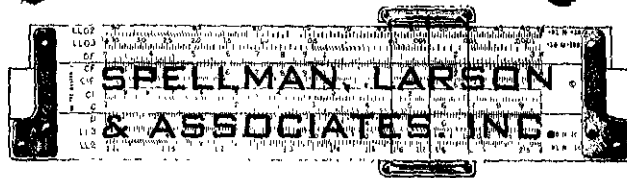
TMK:bjs

cc: Mr. & Mrs. W. Worth McKeithan
4111 Halifax Court, Glen Arm, Md. 21057

People's Counsel

✓ File





4 2870
ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

SUITE 109 -- JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

96-281-X

DESCRIPTION FOR A SPECIAL EXCEPTION TO ZONING, 1101 CROMWELL BRIDGE ROAD,
9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the southeast side of Cromwell Bridge Road, 70 feet wide, at the distance of 88 feet, more or less, measured southwesterly along the southeast side of Cromwell Bridge Road from the centerline of Glen Eagles Court, if extended southeasterly to meet the southeast side of Cromwell Bridge Road and running thence and binding on the southeast side of Cromwell Bridge Road north 69 Degrees 33 Minutes 28 Seconds east 200.00 feet thence leaving the southeast side of Cromwell Bridge Road and running south 23 Degrees 39 Minutes 04 Seconds east 11.66 feet; south 78 degrees 01 Minutes 05 Seconds east 126.39 feet; south 24 Degrees 05 Minutes 34 Seconds east 2.79 feet; north 65 Degrees 54 Minutes 26 Seconds east 73.53 feet; south 48 Degrees 25 Minutes 59 Seconds west 109.90 feet; south 65 Degrees 54 Minutes 26 Seconds west 278.95 feet; and north 20 Degrees 26 Minutes 32 Seconds west 134.89 feet to the place of beginning.

Containing 0.788 acres of land, more or less.

09/27/95



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
96-28-X

District 9th

Date of Posting 2/23/96

Posted for: Special Hearing

Petitioner: W. North McKeithan & Evelyn B.

Location of property: 1101 Cromwell Bldg. Rd.

Location of Sign: Facing road way on property beside road

Remarks: _____

Posted by [Signature]

Signature

Date of return: 2/29/96

Number of Signs: 1

NOTICE OF HEARINGS

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property described below, in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case #95-281-X
(Item 283)

1101 Cromwell Bridge Road,
SECS. Cromwell Bridge Road,
opposite Gateways Court
9th Election District

8th Councilmanic
Legal Owners:

W. Worth MacKethan and
 Evelyn B. MacKethan

Special Exception for an
automotive detailing shop
(service garage) as an auxiliary
service use.

Hearing: Thursday, February
23, 1996 at 11:00 a.m. in Rm.
106, County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible for
special accommodations
Please Call 887-3353.

(2) For information concern-
ing the File and/or Hearing,
Please Call 887-3351.

2/039 Feb. 8, C30239

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/8, 1996

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper published
in Towson, Baltimore County, Md., once in each of 1 successive
weeks, the first publication appearing on 2/8, 1996.

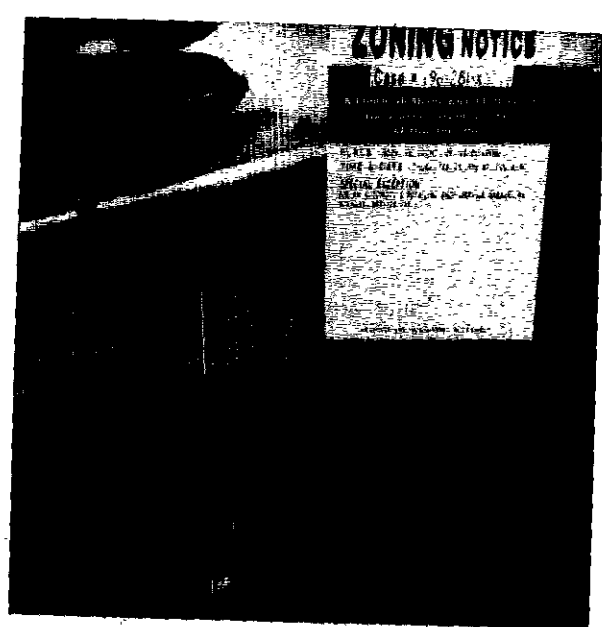
THE JEFFERSONIAN,

A. H. Erickson

LEGAL AD. - TOWSON

100-111-111

96-281-X



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 013690

96-281-X

DATE 1-25-96 ACCOUNT 01-615

Item 283
By msk

AMOUNT \$ 335.00

RECEIVED FROM: Anthony DiPaola W. Worth Mckelton
1101 Cornwell Bridge Rd

050 - Special Exception - \$ 300.00
000 - 1 sign - \$ 35.00
FOR: \$ 335.00

01369053MCKEL
1-25-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 283 Petitioner: 1101 Cromwell Bridge Road

Location: W. Worth McKeithan

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Anthony J. DiPaula

ADDRESS: 614 Basley Avenue

Towson, MD 21204

PHONE NUMBER: 828-9441

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 1, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-281-X (Item 283)
1101 Cromwell Bridge Road
SE/S Cromwell Bridge Road, opposite Gleneagles Court
9th Election District - 6th Councilmanic
Legal Owner: W. Worth McKeithan and Evelyn B. McKeithan

Special Exception for an automotive detailing shop (service garage) as an auxillary service use.

HEARING: THURSDAY, FEBRUARY 29, 1996 at 11:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: W. Worth McKeithan and Evelyn B. McKeithan
Anthony J. DiPaula, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 23, 1996

Anthony J. DiPaula
Covahey & Boozer, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Item No.: 283
Case No.: 96-281-X
Petitioner: W. W. McKeithan

Dear Mr. DiPaula:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

RECEIVED

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 12, 1996
 Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
 Development Plans Review Division

RE: Zoning Advisory Committee Meeting
 for February 12, 1996
 Item No. 283

The Development Plans Review Division has reviewed the subject zoning item. This site is subject to the Landscape Manual to the extent possible. A streetscape treatment along Cromwell Bridge Road will be required.

RWB:sw

MICROFILMED

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/08/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: W. WORTH MCKEITHAN & EVELYN B. MCKEITHAN

Location: SE/S CROMWELL BRIDGE RD. OPPOSITE GLENEAGLES CT.
(1101 CROMWELL BRIDGE RD.)

Item No.: 283

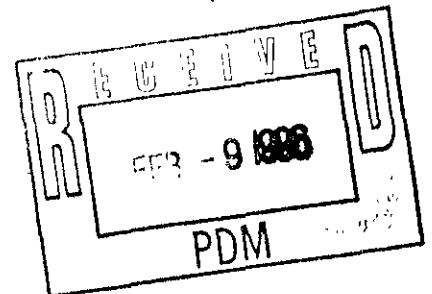
Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



B A L T I M O R E C O U N T Y, M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: February 5, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 1101 Cromwell Bridge Road

INFORMATION:

Item Number: 283

Petitioner: McKeithan Property

Property Size:

Zoning: ML-IM

Requested Action: Special Exception

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

This office has contacted the applicant's attorney regarding the planting of street trees along Cromwell Bridge Road, and we are confident that the Petitioner will agree to provide this suggested improvement to the site. Therefore, staff supports the applicant's request provided that a condition requiring landscape treatment along Cromwell Bridge Road is placed in the Order.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol Kerns

PK/JL



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 283 (MJK)

2-6-96

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21202-0717

PETITION PROBLEMS

#283 --- MJK

1. No telephone number for legal owner on petition form.

MICROFILMED

SE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
1101 Cromwell Bridge Road, SE/S Cromwell *
Bridge Road, opposite Gleneagles Court * ZONING COMMISSIONER
9th Election District, 6th Councilmanic * OF BALTIMORE COUNTY
W. Worth and Evelyn B. McKeithan *
Petitioners * CASE NO. 96-281-X

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Anthony J. DiPaula, Esquire, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

GEICO

Washington, DC

- Government Employees Insurance Company
- GEICO General Insurance Company
- GEICO Indemnity Company
- GEICO Casualty Company



1047 Cromwell Bridge Road, Towson, Maryland 21286

To Whom It May Concern,

GEICO insurance company has occupied the building at 1047 Cromwell Bridge next to the vacant gas station in question since 1985. We would welcome McKeithan Auto Sales with Roscoe's Auto Detailing as a neighbor because we feel the building is an eyesore. A tenant would maintain the premises and make the building useful again.

Sincerely,

Steve Nolan
Drive In Supervisor

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Anthony J. DiPaula, Esq.

614 Bosley Ave. - Towson, MD 21204

William S. Fitzell

9020 Satyr Hill Rd Belk MD 21234

JOSEPH LARSON

105 W. CHESAPEAKE AVE 21204



COVAHEY & BOOZER, P. A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828-9441

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER *
MARK S. DEVAN
ANTHONY J. DiPAULA *
THOMAS P. DORE
ROGER J. SULLIVAN

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE
TOWSON, MD 21204

FAX 410-823-7530

* ALSO ADMITTED TO D. C. BAR

February 28, 1996

VIA FACSIMILE
321-1508

Ret Ex #2

Thomas Huck, Chairman,
Cromwell Valley Community
Association Zoning Committee

RE: 1101 CROMWELL BRIDGE ROAD
MY CLIENTS/PROPERTY OWNERS: W. WORTH MCKEITHAN AND
EVELYN MCKEITHAN

Dear Mr. Huck:

Following up our telephone conversation this morning, this will confirm that I represent the above-referenced property owners who acquired the above-referenced property in September, 1995, and have since filed a Petition for Special Exception to utilize the premises as a service garage (automotive detailing shop). The hearing is scheduled for tomorrow morning at 11:00 a.m.

Since our telephone conversation, I have spoken to my clients and confirmed that there would be no problem having a stipulation placed in whatever order is passed by the Zoning Commissioner which would restrict the use of the property in the following respects: there would be no body and fender work or painting done on the premises; to the extent any automotive repairs are conducted on-site, beyond automotive detailing, cleaning and waxing, such repairs would be conducted inside the building/bays; no partially or fully dismantled vehicles, or partially assembled vehicles, and/or inoperative vehicles would be stored on the site.

Assuming this meets with your approval, I will introduce a copy of this letter at the hearing, and it would not be necessary for you or anyone on behalf of the Cromwell Valley Association to appear. Thank you for taking the time to discuss this matter with me so we could share both party's mutual concerns. Please confirm

MICROFILM

Thomas Huck, Chairman
February 28, 1996
Page 2

to me or my secretary, Deborah Scilipote, that this letter has been
in fact received and meets with your approval.

Very truly yours,



Anthony J. DiPaula

AJD/ds
2`ds.150

cc: W. Worth McKeithan

ASAP (4/11/96)

FAX COVER SHEET FROM

TOM HUCK

TO COVAHEY'S BOZAR, PA

THIS IS PAGE 1 OF 1 DATE 2/28/96

PROBLEMS? CALL (410) 321 1508

ATTN: ANTHONY J. DI PAULA

REF: YOUR FAX LETTER TO ME, 2/28/96
RELATIVE TO 1101 CROMWELL BRIDGE
ROAD.

I HAVE RECEIVED THE ABOVE REFERENCED
LETTER & FIND IT MEETS WITH MY
~~THE~~ APPROVAL.

OUR COMMUNITY WELCOMES AN
OCCUPANT OF THE PROPERTY WHO WILL
RESTORE & MAINTAIN IT IN KEEPING WITH
THE CHARACTER OF THE NEIGHBORHOOD

CTH Huck

#283



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway Baltimore, Maryland 21224
(301) 631-

William Donald Schaefer
Governor

Robert Perciasepe
Secretary

January 18, 1993

NOTICE OF COMPLIANCE

Mr. Yon H. Kwon
Star Enterprises, Inc.
10009 Chartwell Manor Court
Potomac MD 20854

RE: Case #93-0421 B&B
Texaco
1101 Crowsell Bridge Rd.
Towson, Maryland

Dear Mr. Kwon:

On August 26, 1992, and September 15, 1992, representatives of the Waste Management Administration's Oil Control Program made an inspection, and reviewed the report prepared by Handex of Maryland, Inc. dated November 5, 1992, on the above-referenced property.

Based on the review of information submitted and the inspection, it has been determined that five (5) underground storage tanks have been removed. The Administration does not presently require any corrective action at this site based on the level of soil contamination detected during the tank removals and a sample analysis contained in the November 5, 1992, report.

The Administration hereby closes its case concerning this site. This notice should not be construed as a waiver of the Administration's right to take any other enforcement action it deems appropriate with respect to this site. Your cooperation in this matter has been greatly appreciated.

If there are any questions concerning this matter, please telephone this office at (410) 631-3442.

Sincerely,

Herbert M. Meade
Compliance/Remediation Division
Oil Control Program

TLW:nlb

cc: Mr. Richard Collins
Mr. Horacio Tablada

MICROFILMED

*Baltimore County Zoning Regulations
PC/Codebook for Windows*

GARAGE, SERVICE -- A garage, other than a residential garage, where motor-driven vehicles are stored, equipped for operation, repaired or kept for remuneration, hire or sale.

BALTIMORE

ML-1M

N 38,000

ROAD

GLEAGLES ST

BRIDGE

#283

CROMWELL

BR.

SITE

LANE

N 37,000

MYLANDER

PART OF
ZONING MAP
NE 10.C

SCALE : 1" = 200'

N 36,000

(SHEET NE-10-B)

RE

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
SK/S Cromwell Bridge Road, * DEPUTY ZONING COMMISSIONER
opposite Glen Eagles Court
(1101 Cromwell Bridge Road)
9th Election District * OF BALTIMORE COUNTY
6th Councilmanic District * Case No. 96-281-X
W. Worth McKeithan, et ux
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception for that property known as 1101 Cromwell Bridge Road, located in the vicinity of Loch Raven Boulevard in Towson. The Petition was filed by the owners of the property, W. Worth and Evelyn B. McKeithan, through their attorney, Anthony J. DiPaola, Esquire. The Petitioners seek a special exception for an automotive detailing shop (service garage) as an auxiliary service use in an I.M. District, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were William S. Fitzell, the Petitioners' son-in-law, Joseph Larson with Spellman, Larson & Associates, Inc., who prepared the site plan for this project, and Anthony J. DiPaola, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of 0.788 acres, more or less, zoned M.L.-I.M., and is improved with a one-story metal building, which has been abandoned for some time. The Petitioners are desirous of renovating the property and to relocate

Roscoe's Auto Detailing business from its present location on Joppa Road to the subject site. Testimony revealed that the Petitioners presently operate McKeithan's Auto Sales on Joppa Road and that they utilize Roscoe's to clean and detail the automobiles they sell. Further testimony revealed that Roscoe's also cleans and details the automobiles sold by Bob Davidson Ford. Both of these dealerships are located in close proximity to the subject site. Testimony indicated that Roscoe's current operation on Joppa Road has caused some traffic congestion when vehicles are being taken to and from the site. Thus, the Petitioners believe the proposed relocation will not only be of benefit to Roscoe's Automobile Detailing business, but will also bring a viable tenant to the subject site.

On behalf of the Petitioners, Mr. DiPaola testified that he approached the Cromwell Valley Community Association regarding his clients' intended use of the property. He testified that the Community Association was very happy to hear that a tenant intended to locate to the subject site and that the Association had realized that the abandoned gasoline service station had become an eyesore. The Association supports the proposed automotive detailing shop provided there is compliance with certain conditions as contained in a letter offered into evidence by Mr. DiPaola and marked as Petitioner's Exhibit 2. Therefore, approval of the relief granted shall be conditioned upon the Petitioners' compliance with the terms and conditions set forth therein.

It is clear that the B.C.Z.R. permits the use proposed in a M.L.-I.M. zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of March, 1996 that the Petition for Special Exception seeking approval of an automotive detailing shop (service garage) as an auxiliary service use in an I.M. District, pursuant to Section 253.2.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.),

and in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioners shall not allow any body and fender work, or painting to take place on the subject site. Any minor mechanical repairs beyond detailing, cleaning and waxing, must be performed within the service bays of the subject building.
- 3) No damaged or disabled, or partially or fully dismantled vehicles, or parts, shall be stored on the subject site.
- 4) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TMK:bjs

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 3/15/96
By SPJ

ORDER RECEIVED FOR FILING
Date 3/15/96
By SPJ

ORDER RECEIVED FOR FILING
Date 3/15/96
By SPJ

ORDER RECEIVED FOR FILING
Date 3/15/96
By SPJ

- 2 -

- 3 -

- 4 -



Petition for Special Exception to the Zoning Commission of Baltimore County

for the property located at 1101 Cromwell Bridge Road
which is presently zoned M.L.-I.M.

This Petition shall be filed with the Department of Permits & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for an automotive detailing shop (service garage) as an auxiliary service use in an I.M. District, pursuant to B.C.Z.R. Section 253.2.B.3.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:
Type or Print Name:
Signature:
Address:
City: State: Zipcode:

Attorney for Petitioner:
Anthony J. DiPaola
Type or Print Name: Covashey & Boozer, P.A.
Signature:
Address: 614 Bosley Avenue 828-9441
City: Towson, MD 21204 State: Zipcode:

W. Worth McKeithan
Type or Print Name:
Signature: *W. Worth McKeithan*
Address:
City: State: Zipcode:

Evelyn B. McKeithan
Type or Print Name:
Signature: *Evelyn B. McKeithan*
Address:
City: State: Zipcode:

4111 Halifax Court
Address:
City: Glen Arm, MD 21057 State: Zipcode:

Anthony J. DiPaola
Address: 614 Bosley Avenue 828-9441
City: Towson, MD 21204 State: Zipcode:

ESTIMATED LENGTH OF HEARING: 2 hr
The following date: 3/15/96 Next Two Months
ALL OTHER: DATE: 3/15/96

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

March 18, 1996

(410) 887-4386

Anthony J. DiPaola, Esquire
Covashey & Boozer
614 Bosley Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION
SE/S Cromwell Bridge Road, opposite Glen Eagles Court
(1101 Cromwell Bridge Road)
9th Election District - 6th Councilmanic District
W. Worth McKeithan, et ux - Petitioners
Case No. 96-281-X

Dear Mr. DiPaola:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Timothy M. Kotrocco
TIMOTHY M. KOTROCCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. W. Worth McKeithan
4111 Halifax Court, Glen Arm, Md. 21057

People's Counsel

File



SPELLMAN, LARSON
& ASSOCIATES, INC.

SUITE 109 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535
FAX (410) 825-5215

ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON
JO ANN W. ROGGE

DESCRIPTION FOR A SPECIAL EXCEPTION TO ZONING, 1101 CROMWELL BRIDGE ROAD, 9TH DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the southeast side of Cromwell Bridge Road, 70 feet wide, at the distance of 88 feet, more or less, measured southwesterly along the southeast side of Cromwell Bridge Road from the centerline of Glen Eagles Court, if extended southeasterly to meet the southeast side of Cromwell Bridge Road and running thence and binding on the southeast side of Cromwell Bridge Road north 69 Degrees 33 Minutes 28 Seconds east 200.00 feet thence leaving the southeast side of Cromwell Bridge Road and running south 23 Degrees 39 Minutes 04 Seconds east 11.66 feet; south 78 degrees 01 Minutes 05 Seconds east 126.39 feet; south 24 Degrees 05 Minutes 34 Seconds east 2.79 feet; north 65 Degrees 54 Minutes 26 Seconds east 73.53 feet; south 48 Degrees 25 Minutes 59 Seconds west 109.90 feet; south 65 Degrees 54 Minutes 26 Seconds west 278.95 feet; and north 20 Degrees 26 Minutes 32 Seconds west 134.89 feet to the place of beginning.

Containing 0.788 acres of land, more or less.

09/27/95



RESIDENTIAL & COMMERCIAL DEVELOPMENT DESIGN • LAND SURVEYING
LAND PLANNING • SUBDIVISION LAYOUT • FEASIBILITY STUDIES • ESTIMATING
GRADING STUDIES • LOCATION SURVEYS • TECHNICAL CONSULTATION

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: 2/14/96
Posted for: Special Hearing
Petitioner: W. Worth McKeithan & Evelyn B.
Location of property: 1101 Cromwell Bridge Rd.
Location of Sign: Property and sign are posted by owner.
Remarks: _____
Posted by: Timothy M. Kotrocco Date of return: 2/18/96
Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/8, 1996

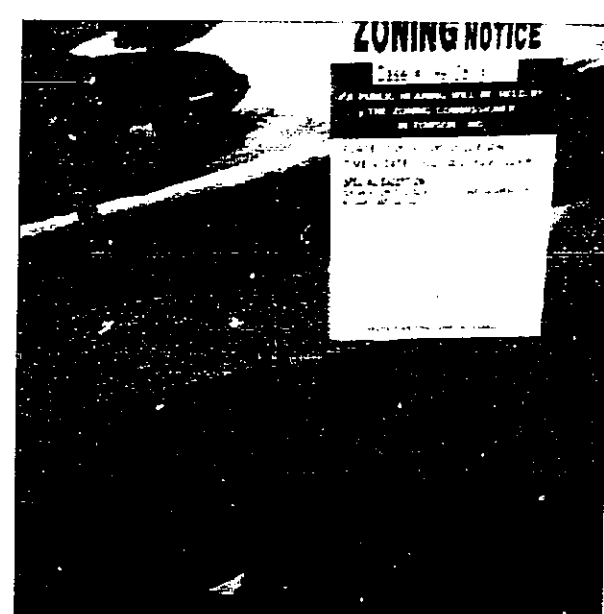
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/8, 1996.

THE JEFFERSONIAN,
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the County Act and Regulations of Baltimore County will hold a public hearing on the proposed Special Exception to the Zoning Regulations of Baltimore County, Case No. 96-281-X, at the following time and place:

Time: Tuesday, February 20, 1996 at 1:00 PM in the 10th County Office Building.
Place: 10th County Office Building, 1000 E. Joppa Road, Towson, MD 21204.
The Zoning Commission will hear testimony and evidence in support of the proposed Special Exception and will make a decision thereon. The decision will be published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 2/8, 1996.



BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 96-281-X
DATE: 2-25-96 ACCOUNT: 21-015
AMOUNT: \$ 335.00
RECEIVED: Anthony J. DiPaola, Esq.
FROM: 1101 Cromwell Bridge Road
TOWSON, MD 21204
FOR: 1101 Cromwell Bridge Road
TOWSON, MD 21204
VALIDATION OR SIGNATURE OF CASHIER
PK-Agency YELLOW CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 283 Petitioner: 1101 Cromwell Bridge Road
Location: W. North McKeithan

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Anthony J. DiPaola
ADDRESS: 614 Bosley Avenue
Towson, MD 21204
PHONE NUMBER: 828-9441

TO: PUTNEY PUBLISHING COMPANY
February 8, 1996 Issue - Jeffersonian

Please forward billing to:

Anthony J. DiPaola, Esq.
614 Bosley Avenue
Towson, MD 21204
828-9441

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-281-X (Item 283)
1101 Cromwell Bridge Road
SE/S Cromwell Bridge Road, opposite Gleneagles Court
9th Election District - 6th Councilmanic
Legal Owner: W. North McKeithan and Evelyn B. McKeithan

Special Exception for an automotive detailing shop (service garage) as an auxiliary service use.

HEARING: THURSDAY, FEBRUARY 29, 1996 at 11:00 a.m. in Room 106, County Office Building.

LARGENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 1, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-281-X (Item 283)
1101 Cromwell Bridge Road
SE/S Cromwell Bridge Road, opposite Gleneagles Court
9th Election District - 6th Councilmanic
Legal Owner: W. North McKeithan and Evelyn B. McKeithan

Special Exception for an automotive detailing shop (service garage) as an auxiliary service use.

HEARING: THURSDAY, FEBRUARY 29, 1996 at 11:00 a.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: W. North McKeithan and Evelyn B. McKeithan
Anthony J. DiPaola, Esq.

NOTES: (1) ZONING SIGN AND POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 23, 1996

Anthony J. DiPaola
Covahey & Booser, P.A.
614 Bosley Avenue
Towson, MD 21204

RE: Item No.: 283
Case No.: 96-281-X
Petitioner: W. W. McKeithan

Dear Mr. DiPaola:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on January 25, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: Feb. 12, 1996
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review Division

RE: Zoning Advisory Committee Meeting
for February 12, 1996
Item No. 283

The Development Plans Review Division has reviewed the subject zoning item. This site is subject to the Landscape Manual to the extent possible. A streetscape treatment along Cromwell Bridge Road will be required.

RWB:sw

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/08/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: W. NORTH MCKEITHAN & EVELYN B. MCKEITHAN

Location: SE/S CROMWELL BRIDGE RD. OPPOSITE GLENEAGLES CT.
(1101 CROMWELL BRIDGE RD.)

Item No.: 283 Zoning Agenda: SPECIAL EXCEPTION

Gentlemen:

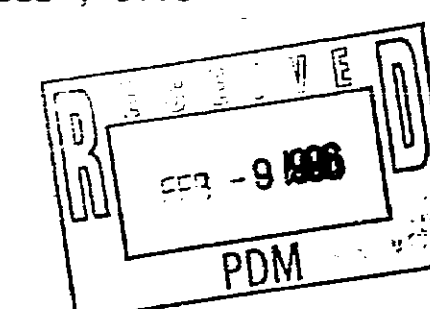
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1971 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: February 5, 1996

FROM: Arnold F. 'Pat' Keller, III, Director, PO

SUBJECT: 1101 Cromwell Bridge Road

INFORMATION:

Item Number: 283

Petitioner: McKeithan Property

Property Size:

Zoning: ML-1M

Requested Action: Special Exception

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

This office has contacted the applicant's attorney regarding the planting of street trees along Cromwell Bridge Road, and we are confident that the Petitioner will agree to provide this suggested improvement to the site. Therefore, staff supports the applicant's request provided that a condition requiring landscape treatment along Cromwell Bridge Road is placed in the Order.

Prepared by: Jeffrey W. Lay

Division Chief: Carol Kerns

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. *2-6-96*
JB3 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717

PETITION PROBLEMS

#283 --- MJK

1. No telephone number for legal owner on petition form.

RE: PETITION FOR SPECIAL EXCEPTION *
1101 Cromwell Bridge Road, SE/S Cromwell *
Bridge Road, opposite Glenesgles Court *
9th Election District, 6th Councilmanic *
W. Worth and Evelyn B. McKeithan *
Petitioners *
* * * * *

BEFORE THE *
ZONING COMMISSIONER *
OF BALTIMORE COUNTY *
CASE NO. 96-281-X *
* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 897-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this *15th* day of February, 1996, a copy of the foregoing Entry of Appearance was mailed to Anthony J. DiPaula, Esquire, 614 Bosley Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

GEICO
Washington, DC

Government Employees Insurance Company
GEICO General Insurance Company
GEICO Indemnity Company
GEICO Casualty Company



1047 Cromwell Bridge Road, Towson, Maryland 21286

To Whom It May Concern,

GEICO insurance company has occupied the building at 1047 Cromwell Bridge next to the vacant gas station in question since 1985. We would welcome McKeithan Auto Sales with Roscoe's Auto Detailing as a neighbor because we feel the building is an eyesore. A tenant would maintain the premises and make the building useful again.

Sincerely,

Steve Nolan
Steve Nolan
Drive In Supervisor

Shareholder Owned Companies Not Affiliated With The U.S. Government

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Anthony J. DiPaula, Esq.	614 Bosley Ave - Towson, MD 21204
William S. Fizzle	9020 Sarge Hill Rd. Bel Air MD 21034
JOSEPH LARSON	109 W. CHESAPEAKE AVE E1204

COVAHEY & BOOZER, P.A.

ATTORNEYS AT LAW
614 BOSLEY AVENUE
TOWSON, MARYLAND 21204
AREA CODE 410
828 9441

ANNEX OFFICE
SUITE 302
606 BALTIMORE AVE
TOWSON, MD 21204

EDWARD C. COVAHEY, JR.
F. VERNON BOOZER
MARK S. DEGAN
ANTHONY J. DIPAULA
THOMAS P. DORE
ROGER J. SULLIVAN
* ALSO ADMITTED TO D.C. BAR *

February 28, 1996

VIA FACSIMILE
321-1508

Thomas Huck, Chairman,
Cromwell Valley Community
Association Zoning Committee

RE: 1101 CROMWELL BRIDGE ROAD
MY CLIENTS/PROPERTY OWNERS: W. WORTH MCKEITHAN AND
EVELYN MCKEITHAN

Dear Mr. Huck:

Following up our telephone conversation this morning, this will confirm that I represent the above-referenced property owners who acquired the above-referenced property in September, 1995, and have since filed a Petition for Special Exception to utilize the premises as a service garage (automotive detailing shop). The hearing is scheduled for tomorrow morning at 11:00 a.m.

Since our telephone conversation, I have spoken to my clients and confirmed that there would be no problem having a stipulation placed in whatever order is passed by the Zoning Commissioner which would restrict the use of the property in the following respects: there would be no body and fender work or painting done on the premises; to the extent any automotive repairs are conducted on-site, beyond automotive detailing, cleaning and waxing, such repairs would be conducted inside the building/bays; no partially or fully dismantled vehicles, or partially assembled vehicles, and/or inoperative vehicles would be stored on the site.

Assuming this meets with your approval, I will introduce a copy of this letter at the hearing, and it would not be necessary for you or anyone on behalf of the Cromwell Valley Association to appear. Thank you for taking the time to discuss this matter with me so we could share both party's mutual concerns. Please confirm

Thomas Huck, Chairman
February 28, 1996
Page 2

to me or my secretary, Deborah Scilipote, that this letter has been in fact received and meets with your approval.

Very truly yours,

Anthony J. DiPaula
Anthony J. DiPaula

AJD/ds
2 ds.150

cc: W. Worth McKeithan

FAX COVER SHEET FROM

TOM HUCK

TO: *COVAHEY & BOOZER, PA*

THIS IS PAGE 1 OF *1* DATE *2/28/96*

PROBLEMS? CALL (410) 321 1508

ATTN: ANTHONY J. DIPAULA

REF: YOUR FAX LETTER TO ME, 2/28/96
RELATIVE TO 1101 CROMWELL BRIDGE
ROAD.

I HAVE RECEIVED THE ABOVE REFERENCED
LETTER & FIND IT MEETS WITH MY
APPROVAL.

OUR COMMUNITY WELCOMES AN
OCCUPANT OF THE PROPERTY WHO WILL
RESTORE & MAINTAIN IT IN KEEPING WITH
THE CHARACTER OF THE NEIGHBORHOOD
CTH Huck



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
2500 Brocking Highway Baltimore, Maryland 21224
(301) 631-
#283

William Donald Schaefer
Governor

Robert Pichler
Secretary

January 18, 1993
NOTICE OF COMPLIANCE

Mr. Von H. Kwon
Star Enterprises, Inc.
10909 Chartwell Manor Court
Potomac MD 20854

RE: Case #93-0421 5A1
Texaco
1101 Cromwell Bridge Rd.
Towson, Maryland

Dear Mr. Kwon:

On August 26, 1992, and September 15, 1992, representatives of the Waste Management Administration's Oil Control Program made an inspection, and reviewed the report prepared by Hander of Maryland, Inc. dated November 5, 1992, on the above-referenced property.

Based on the review of information submitted and the inspection, it has been determined that five (5) underground storage tanks have been removed. The Administration does not presently require any corrective action at this site based on the level of soil contamination detected during the tank removals and a sample analysis contained in the November 5, 1992, report.

The Administration hereby closes its case concerning this site. This notice should not be construed as a waiver of the Administration's right to take any other enforcement action it deems appropriate with respect to this site. Your cooperation in this matter has been greatly appreciated.

If there are any questions concerning this matter, please telephone this office at (410) 631-3422.

Sincerely,

Herbert M. Meade
Herbert M. Meade
Compliance/Remediation Division
Oil Control Program

TLM:nib

cc: Mr. Richard Collins
Mr. Horacio Tablora

